

OFFICIAL FILE
ILLINOIS COMMERCE COMMISSION

ORIGINAL

(File this application via e-docket, or if unable to do so, file one original verified application with the Chief Clerk.)

Docket No. _____
ICC Office Use Only

Please provide the appropriate information in the () areas in the heading below.

MCC Telephony of Illinois, Inc.)
Application for a Certificate)
to Operate as a Provider of Resold and)
Facilities Based Interexchange and Local)
Telecommunications Services, Statewide in the)
State of Illinois)

04-0601

ILLINOIS
COMMERCE COMMISSION
2004 OCT - 11 A 9:58
CHIEF CLERK'S OFFICE
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**APPLICATION FOR CERTIFICATE TO BECOME A
TELECOMMUNICATIONS CARRIER**
(Use additional sheets as necessary.)

GENERAL

1. Applicant's Name(including d/b/a, if any)

FEIN # : 20-0781137

MCC Telephony of Illinois, Inc. ("MCC")

Address: Street 100 Crystal Run Road

City: Middletown

State/Zip:

New York 10941

2. Authority Requested: (Mark all that apply)

☒ 13-403 Facilities Based Interexchange

☒ 13-404 Resale of Local and/or Interexchange

☒ 13-405 Facilities Based Local

3. Request for waivers/variances: In applications for local exchange service authority under Sections 13-404 or 13-405, waivers of Part 710 and of Section 735.180 of Part 735 are generally requested. In applications for interexchange service authority under Sections 13-403 and 13-404, waivers of Part 710 and Part 735 are generally requested. Please indicate which waivers Applicant is requesting and explain why Applicant is requesting each waiver/variance.

- ☒ Part 710 Uniform System of Accounts for Telecommunications Carriers
☐ Part 735 Procedures Governing the Establishment of Credit, Billing, Deposits, Termination of Service and Issuance of Telephone Directories for Local Exchange Telecommunications Carriers in the State of Illinois
☒ Section 735.180 Directories
☒ Other

Applicant seeks a waiver of Part 710 Uniform System of Accounts ("USOA") for Telecommunications Carriers because the Company currently maintains a single set of its books and records according to the Generally Accepted Accounting Principles ("GAAP"). Accordingly, Applicant requests the waiver to avoid the burdens associated with maintaining two sets of books. USOA was designed for an older form of rate base regulation that has little value in a telecommunications environment. Moreover, for companies other than ILECs, GAAP is a standard accounting method that provides sufficient detail for easy comparison between telecommunications companies. Applicant understands that a waiver of this requirement will not excuse it from compliance with future Commission rules or amendment of Part 710 that are otherwise applicable to the company.

Applicant seeks a waiver of Part 735.180 to the extent that it will contract with the underlying incumbent LEC for the provision of directory listings. Applicant understands that, failing this agreement, it is responsible for the provision of directory publications.

Finally, Applicant seeks a waiver of ILL. ADMIN. CODE tit. 83 § 250.10, which requires public utilities to keep books, accounts, records and memoranda within the State of Illinois. Applicant maintains its books and records at its national headquarters in Middletown, New York. Should it be necessary for the Commission to have access those books and records, Applicant will facilitate such access expeditiously and at its own expense.

4. For all applicants requesting local exchange authority under Section 13-404 or Section 13-405, please complete the following:

- (a) the Standard Questions for Applicants Seeking Local Exchange Service Authority found in Appendix A of this document
- (b) the 9-1-1 Questions for Applicants Seeking Local Exchange Service Authority found in Appendix B of this document;
- (c) the Financial Questions for Applicants Seeking Local Exchange Service Authority found in Appendix C of this document; and
- (d) if applicable, the Prepaid Service Questions for Applicants Seeking Local Exchange Service Authority found in Appendix D of this document.

5. In what area of the state does the Applicant propose to provide service?

MCC seeks statewide authority.

6. Please attach a sheet designating contact persons to work with Staff on the following:

- (a) issues related to processing this application
- (b) consumer issues
- (c) customer complaint resolution
- (d) technical and service quality issues
- (e) "tariff" and pricing issues
- (f) 9-1-1 issues
- (g) security/law enforcement

Please identify each contact person's (i) name, (ii) title, (iii) mailing address, (iv) telephone number, (v) facsimile number, and (vi) e-mail address.

Please see Attachment I

7. Please check type of organization?

<input type="checkbox"/> Individual	<input checked="" type="checkbox"/> Corporation
<input type="checkbox"/> Partnership	<input type="checkbox"/> Other (Specify)

**Date corporation was formed:
In what state?**

MCC Telephony of Illinois, Inc. is a Delaware corporation, formed on January 26, 2004.

8. Submit a copy of articles of incorporation and a copy of certificate of authority to transact business in Illinois.

See Attachment II.

9. List jurisdictions in which Applicant is offering service(s).

Applicant is not yet offering service. The Applicant's telephony affiliates are presently pursuing certification in Florida, Georgia, Minnesota and Missouri. Applicant's affiliate MCC Telephony of Iowa, Inc. has already been approved for certification in Iowa.

10. Has the Applicant, or any principal in Applicant, been denied a Certificate of Service or had its certification revoked or suspended in any jurisdiction in this or another name?

☐ YES (Please provide details)

☒ NO

11. Have there been any complaints or judgments levied against the Applicant in any other jurisdiction?

☐ YES

☒ NO

12. Has Applicant provided service under any other name?

☐ YES

☒ NO

If YES, please list.

13. Will the Applicant keep its books and records in Illinois? ☐ YES ☒ NO

If NO, permission pursuant to 83 Ill. Adm Code Part 250 needs to be requested.

Applicant seeks permission as anticipated in 83 Ill. Admin. Code, Part 250 to maintain its books and records outside of the State of Illinois. Applicant maintains its books and records at its national headquarters in Middletown, New York. In case it should be necessary for the Commission to have access to the Applicant's books and records, MCC Telephony of Illinois, Inc. will facilitate that access at its own expense.

MANAGERIAL

- 14. Please attach evidence of the applicant's managerial and technical resources and ability to provide service. This may be in either narrative form, resumes of key personnel, or a combination of these forms.**

See Attachment III.

- 15. List officers of Applicant.**

See Attachment IV.

- 16. Does any officer of Applicant have an ownership or other interest in any other entity which has provided or is currently providing telecommunications services? _____ YES ☒ NO**

If YES, list entity.

- 17. How will Applicant bill for its service(s)? (At a minimum, describe how often the Applicant will bill for service and details of the billing statement.)**

Applicant will bill customers directly for its services on a monthly basis. All billing statements will list the Applicant's name, address and customer service toll free telephone number for customer inquiries or concerns. Applicant's standard bill will be a simple streamlined invoice with the following charges: (1) a monthly service flat fee for unlimited local and nationwide calling, call features, and advanced service; (2) international calls (which are not included in the monthly fee), charged on a per minute usage basis; and (3) any applicable taxes, fees, surcharges or other charges associated with its services.

- 18. How does Applicant propose to handle service, billing, and repair complaints? (At a minimum, describe Applicant's internal process for complaint resolution, the complaint escalation process, the timeframe and process by which the customer is notified by Applicant that they may seek assistance from the Commission?)**

Applicant is responsible for all customer inquiries and complaints. The telephone number for customer inquiries and complaints is provided by MCC on the customer bill. MCC's Customer Service department may be accessed through a toll-free number. Customer service is available seven days a week, twenty-four hours a day. The proposed toll free number is: 1-800-874-2924. Customer complaints are resolved by company customer service representatives and management at the local and then regional level. Further resolution efforts may be taken up directly with the Corporate Customer Service department. Should a customer request to speak with our corporate office, they are directed to call the Corporate Customer Service Department, toll free, at 888-692-9090. Customers will be informed that assistance is available directly through the Illinois Commerce Commission.

- 19. Will personnel be available at Applicant's business office during regular working hours to respond to inquiries about service or billing? ☒ YES _____ NO**

- 20. What telephone number(s) would a customer use to contact your company? 1-800-874-2924**

- 21. Will Applicant abide by all Federal and State slamming and cramming laws pursuant to Section 13-902 of the Public Utilities Act and Section 258 of the 1996 Telecommunications Act?**

☒ YES _____ NO

22. Please describe applicant's procedures to prevent slamming and cramming of customers?

Consistent with federal and state regulations governing primary carrier changes, MCC's policy is to obtain a written Letter of Agency from each customer prior to switching the customer to MCC's services. MCC's LOA, as drafted, incorporates all of the FCC requirements for carrier changes and requires actual execution by the customer approving the change.

23. If granted authority to operate as a local exchange carrier, will the applicant abide by the following 83 Illinois Administrative Code Parts: 705, 710, 720, 725, 730, 735, 755, 756, 757, 770, and 772?

☒ YES ☐ NO (If no, please provide an explanation.)

24. Is Applicant aware that it must file tariffs prior to providing service in Illinois?

☒ YES ☐ NO

FINANCIAL

25. Please attach evidence of Applicant's financial fitness through the submission of its most current income statement and balance sheet, or other appropriate documentation of applicant's financial resources and ability to provide service.

See Attachment V

TECHNICAL

26. Does Applicant utilize its own equipment and/or facilities? ☒ YES ☐ NO

If YES, please list the facilities Applicant intends to utilize. Also include evidence that Applicant possesses the necessary technical resources to deploy and maintain said facilities:

If NO, which facility provider(s)'s services does the Applicant intend to use?

For its provision of voice and data communications, MCC will utilize the facilities of its underlying carriers. Additionally, in connection with the provision of switched telecommunications services, the Company expects to deploy facilities (eg., loop, interoffice transport and back office) at such time and to such extent as will be both consistent with the Company's evolving business plans and responsive to changing market conditions in the state of Illinois. MCC's technical capabilities are well demonstrated in the materials provided as Attachment III.

27. Please describe the nature of service to be provided (e.g., operator services, internet, debit cards, long distance service, data services, local service, prepaid local service).

As described above, the Applicant intends to offer voice and data communication services. These services will provide to customers the following: intrastate resold and facilities-based long distance and local services, custom calling and CLASS features and directory listing services. Service will be available to both business and residential customers.

28. Will technical personnel be available at all times to assist customers with service problems?

☒ YES ☐ NO

29. If Applicant intends to provide payphone service, will the equipment utilized comply with FCC requirements and Finding (9) of the Commission Order entered in Docket No. 84-0442 on June 11, 1986, including, but not limited to: (a) touch dialing; (b) access to 9-1-1 and "0" operator dialing without use of a coin; (c) rules governing use of payphones by disabled persons; (d) ability to complete local and long-distance calls; (e) unlimited duration for local calls; and (f) a message explaining the telephone's general operations, dialing instructions for emergency assistance, payphone owner's name, method of reporting service problems and method of receiving credit for faulty calls?

☒ YES ☐ NO

At this time, the Applicant proposes not to provide its own payphone service. Should the Applicant in the future decide to offer pay telephone service to customer owned coin operated providers, the Applicant will comply with FCC and Commission requirements for pay phones.



Calvin Craib, President
MCC Telephony of Illinois, Inc.

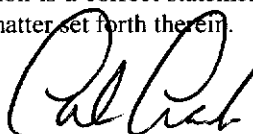
VERIFICATION

This application shall be verified under oath.

OATH

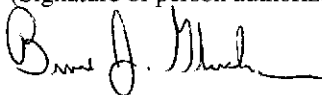
STATE OF NEW YORK)
) ss
COUNTY OF ORANGE)

Calvin Craib makes oath and says that he is President of MCC Telephony of Illinois, Inc, that he has examined the foregoing application and that to the best of his knowledge, information, and belief, all statements of fact contained in the said application are true, and the said application is a correct statement of the business and affairs of the above-named applicant in respect to each and every matter set forth therein.



Calvin Craib, President
MCC Telephony of Illinois, Inc.

(Signature of person authorized to administer oath)



Subscribed and sworn to before me, a Notary Public

(Title of person authorized to administer oaths)

in the State and County above named, this 9th day of September, 2004.

Bruce J Gluckman
Notary Public
Orange County
Reg. No. 626CL50700554
Appointment Expires: 12/31/06